

**CITY OF EL PASO, TEXAS  
REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** Community & Human Development  
**AGENDA DATE:** December 21, 2004  
**CONTACT PERSON/PHONE:** Robert Gott, 541-4248  
**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:**

**APPROVE** a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Authorize the Mayor to sign a Release of Lien for the Forgivable Loan Agreement with the El Paso Center for the Deaf in the amount of Seven Hundred Twenty Thousand And No/100 Dollars (\$720,000.00).

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

On July 29, 1994, the City entered into a Forgivable Loan Agreement with the El Paso Center for the Deaf to acquire and rehabilitate their facility at 511 Executive Center Blvd. The term of the Agreement was for an initial period of five (5) years and a reversionary period of another five (5) years in which the Center would maintain the facility and provide programs for the City's deaf and hard of hearing population. The Center has successfully fulfilled its obligations under the Agreement, and has requested a release of the lien placed on the facility.

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one?

No

**AMOUNT AND SOURCE OF FUNDING:**

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

Filing fees will be paid from Community & Human Development Account Number 504406.


**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_ Jeffery McElroy \_\_\_ **FINANCE:** (if required) \_\_\_ N/A \_\_\_

**DEPARTMENT HEAD:**   
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Release of Lien for the Forgivable Loan Agreement with the El Paso Center for the Deaf in the amount of Seven Hundred Twenty Thousand And No/100 Dollars (\$720,000). **(All Districts)** [Community and Human Development, Robert Gott, (915) 541-4248] [Filing fees will be paid from Community & Human Development Account Number 504406].

**ADOPTED** this 21<sup>st</sup> day of December, 2004.

THE CITY OF EL PASO

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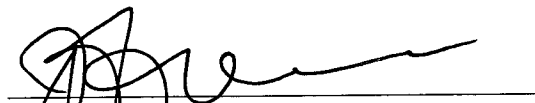
Joe Wardy  
Mayor

ATTEST:

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Richarda Duffy Momsen  
City Clerk

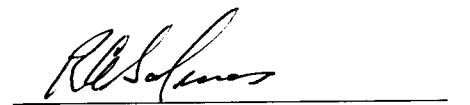
APPROVED AS TO FORM:



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Jeff McElroy  
Assistant City Attorney

APPROVED AS TO CONTENT:



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Robert A Salinas, Director  
Community and Human Development

## RELEASE OF LIEN

Date:

Note: LOAN NOTE

Date: July 29, 1994

Original Amount: SEVEN HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$720,000.00)

Makers: El Paso Center for the Deaf, Inc. n/k/a El Paso Center of the Deaf and Hard of Hearing

Payee: City of El Paso

Date of Maturity: July 1, 2004

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

#2 Civic Center Plaza  
El Paso, Texas 79901-1196  
El Paso County, Texas

Note is described in the following documents recorded in:

Deed of Trust dated August 1, 1994, document no. 000094055243, recorded in Volume 2774, Page 0178, in Film Records of El Paso County, Texas, for the amount of \$720,000.00 and transferred to the City of El Paso, to all of which and its record, reference is here made for full particulars.

Property (including any improvements) to be released from Lien:

*Barker Survey 10 Abst #7 Tr 17-E-1 and Tr 17-H, more particularly described by metes and bounds in Exhibit "A", attached hereto and made a part hereof.*

Holder of the note acknowledges full satisfaction and compliance with repayment terms and releases the property from the lien.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

THE CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy  
Mayor

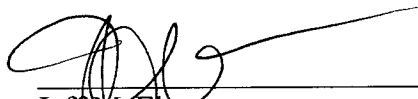
ATTEST:


\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

\_\_\_\_\_  
Richarda Duffy Momsen, Trustee

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jeff McElroy  
Assistant City Attorney

  
\_\_\_\_\_  
Robert A Salinas, Director  
Community and Human Development

(Acknowledgment)

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on the \_\_\_\_ day of December 2004, by JOE WARDY, as Mayor of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's name (printed)

(Acknowledgment)

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on the \_\_\_\_\_ day of December 2004, by RICHARDA DUFFY MOMSEN, as City Clerk and Trustee of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas  
\_\_\_\_\_  
Notary's name (printed)

AFTER RECORDING RETURN TO:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PREPARED IN THE LAW OFFICE OF:  
City Attorney's Office  
2 Civic Center Plaza  
El Paso, TX 79901-1196

EXHIBIT "A"

35,001.533 square feet of land out of the unplatted portion of Executive Park in John Barker Survey Number 10, City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at the point of intersection of the Northerly line of Executive Center Boulevard (100 feet wide) and the Westerly line of Executive Park, City of El Paso, El Paso County, Texas; THENCE 225.00 feet along a curve to the right which is the Northerly line of said Executive Center Boulevard and has a central angle of  $8^{\circ} 45' 03''$ , a radius of 1,501.76 feet and a long chord which bears North  $57^{\circ} 08' 36''$  East a distance of 224.79 feet to the True Point of Beginning of the parcel herein described; THENCE North  $17^{\circ} 16' 34''$  West a distance of 187.46 feet to a point; THENCE North  $68^{\circ} 42' 45''$  East a distance of 117.20 feet to a point; THENCE North  $76^{\circ} 48' 19''$  East a distance of 81.23 feet to a point; THENCE South  $17^{\circ} 16' 34''$  East a distance of 163.90 feet to a point on the Northerly line of Executive Center Boulevard; THENCE 199.78 feet along the Northerly line of Executive Center Boulevard which is a curve to the left and has a central angle of  $7^{\circ} 37' 20''$  a radius of 1,501.76 feet and a long chord which bears South  $65^{\circ} 14' 49''$  West a distance of 199.63 feet to the True Point of Beginning.

EXHIBIT A